

PUBLIC MATTER

FILED

APR 20 2018

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

STATE BAR OF CALIFORNIA  
OFFICE OF CHIEF TRIAL COUNSEL  
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San Francisco, California 94105-1639  
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STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of:	)	Case Nos. 17-O-00962
	)	17-O-04304
MINA LEE RAMIREZ,	)	17-O-06062
No. 118302,	)	
	)	
A Member of the State Bar	)	NOTICE OF DISCIPLINARY CHARGES

**NOTICE - FAILURE TO RESPOND!**

**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE  
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT  
THE STATE BAR COURT TRIAL:**

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU  
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN  
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION  
AND THE DEFAULT IS SET ASIDE, AND;**
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.  
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE  
OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN  
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT  
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,  
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Mina Lee Ramirez ("respondent") was admitted to the practice of law in the State of  
4 California on June 13, 1985, was a member at all times pertinent to these charges, and is  
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 17-O-00962  
8 Rules of Professional Conduct, rule 3-700(D)(2)  
9 [Failure to Refund Unearned Fees]

10 2. On or about August 1, 2015, respondent received advanced fees of \$2,800 from a  
11 client, Mohamed Elemeiry, to represent him in a martial dissolution case. Elemeiry terminated  
12 the representation within three months and requested an accounting of earned fees and a refund  
13 of unearned fees in our about December 2015. Respondent did not refund the unearned fees  
14 until April 2017. Respondent failed to refund promptly, upon respondent's termination of  
15 employment in or about December 2015, any part of the \$2,800 fee to the client, in willful  
16 violation of Rules of Professional Conduct, rule 3-700(D)(2).

17 COUNT TWO

18 Case No. 17-O-00962  
19 Rules of Professional Conduct, rule 4-100(B)(3)  
20 [Failure to Render Accounts of Client Funds]

21 3. On or about July 20, 2015, respondent received from respondent's client, Mohamed  
22 Elemeiry, the sum of \$2,800 as advanced fees for legal services to be performed. Respondent  
23 thereafter failed to render an appropriate accounting to the client regarding those funds following  
24 the client's request for such accounting upon the termination of respondent's employment on or  
25 about December 2015, in willful violation of the Rules of Professional Conduct, rule 4-  
26 100(B)(3).

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COUNT THREE

Case No. 17-O-00962  
Business and Professions Code, section 6068(m)  
[Failure to Respond to Client Inquiries]

4. Respondent failed to respond promptly to approximately 40 telephonic reasonable status inquiries made by respondent's client, Mohamed Elemeiry, between December 2015 and December 2016 that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

COUNT FOUR

Case No. 17-O-00962  
Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

5. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a timely response to the State Bar's letters of June 1, June 26, and July 27, 2017, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 17-O-00962, in willful violation of Business and Professions Code, section 6068(i).

COUNT FIVE

Case No. 17-O-04304  
Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

6. On or about April 5, 2017, respondent received advanced fees of \$1,750 from a client, Gozalo Gomez, to represent him in a legal matter related to his passport. Gomez terminated the representation in May 2017 and requested a refund of unearned fees. Respondent did not refund the unearned fees until September 2017. Respondent failed to refund promptly, upon respondent's termination of employment in or about May 2017, any part of the \$1,750 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

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Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

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Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

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Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

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COUNT NINE

Case No. 17-O-06062  
Business and Professions Code, section 6068(m)  
[Failure to Respond to Client Inquiries]

10. Respondent failed to respond promptly to ten telephonic reasonable status inquiries made by respondent's client, Maria Buenrostro, between April and October 2017 that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

NOTICE - INACTIVE ENROLLMENT!

YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

NOTICE - COST ASSESSMENT!

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA  
OFFICE OF CHIEF TRIAL COUNSEL

DATED: April 20, 2018

By: 

Duncan Carling  
Deputy Trial Counsel

# DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 17-O-00962; 17-O-04304; 17-O-06062

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

## NOTICE OF DISCIPLINARY CHARGES



**By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))**

- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco.



**By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))**



**By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))**

- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ("UPS").



**By Fax Transmission: (CCP §§ 1013(e) and 1013(f))**

Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.



**By Electronic Service: (CCP § 1010.6)**

Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.



*(for U.S. First-Class Mail)* in a sealed envelope placed for collection and mailing at San Francisco, addressed to: *(see below)*



*(for Certified Mail)* in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2112 6624 47 at San Francisco, addressed to: *(see below)*



*(for Overnight Delivery)* together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: *(see below)*

Person Served	Business-Residential Address	Fax Number	Courtesy Copy to:
Alison P. Buchanan, Respondent's Counsel	Alison P. Buchanan Hoge Fenton Jones & Appel, Inc 60 S Market St Ste 1400 San Jose, CA 95113-2396	Electronic Address	

☐ via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

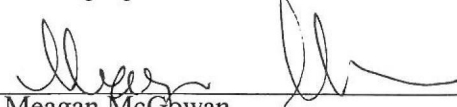
I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: April 20, 2018

SIGNED:

  
Meagan McGowan  
Declarant